

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
FLATHEAD COUNTY ZONING REGULATIONS

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 2416) on December 17, 2015, to consider amending the text of the Flathead County Zoning Regulations and closed the public hearing after which the Commission continued board discussion to allow time for consideration of all comments received; and

WHEREAS, on February 11, 2016 the Commission did discuss the public's comments and whether to adopt the zoning text amendment in light of the comments; and

The proposed amendments would amend the text of the Flathead County Zoning Regulations to add new use districts to Sections 3.45, 3.46, 3.47, 3.48 and 3.49 to the Flathead County Zoning Regulations and also include cross referencing in other sections of the Flathead County Zoning Regulations including; amending Sections 3.01.020, 3.03.020(10), 4.04, 4.04.010(2), 4.06, 4.08.040, 5.05.010, 5.05.020, 5.11.040(3), 5.11.040(4) and 6.13. The proposed amendments are described as follows:

- 1) By creating new zoning use districts known as 'Section 3.45 B-2A Secondary Business,' 'Section 3.46 BMRR Big Mountain Resort Residential,' 'Section 3.47 BMV Big Mountain Village,' 'Section 3.48 BSD Business Service District,' and 'Section 3.49 RR-1 Low Density Resort Residential' to Chapter III Establishment and Definitions of Districts.
- 2) By amending Section 3.01.02 to add 'B-2A Secondary Business,' 'BMRR Big Mountain Resort Residential,' 'BMV Big Mountain Village,' 'BSD Business Service District,' and 'RR-1 Low Density Resort Residential' to the list of existing use districts.
- 3) By amending Section 3.03.020(10) to include 'RR-1 Low Density Resort Residential' as a zoning or use district that prohibits gravel extraction and asphalt and concrete batch plant uses.
- 4) By amending Section 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts to include RR-1.
- 5) By amending Section 4.04.010 A caretaker's facility is a dwelling, which is constructed and designed to provide living quarters for caretakers or servants, and is clearly subordinate to the principal use with regard to size and location. Caretaker's facilities are allowed as a conditional use in the AG-80, AG-40, AG-20, SAG-10, SAG-5, R-2.5, and R-1 districts subject to the following conditions: to include RR-1.
- 6) By amending Section 4.04.010(2) In SAG-5, R-2.5, and R-1 districts the parcel on which the caretaker's facility is located shall be double the size of the underlying district minimum lot size to include RR-1.
- 7) By amending Section 4.06 Commercial Caretaker's Facility in B-2, B-2HG, B-3, I-1, I-1H, and I-2 Districts to include BSD.
- 8) By amending Section 4.08.040 in all residential (AG, SAG, R, and RA) and resort (RC, BR, B-5, and B-6) districts: to include RR.
- 9) By amending Section 5.05.010 all sites in a commercial ("B" and "BR" designations) district having a common boundary with a residential district ("R", "RA", or "RC" designation) shall erect and maintain a view-obscuring fence or dense coniferous hedge along such common boundary. Fences shall be six (6) feet high. Hedges shall obtain a height of at least six (6) feet within three (3) years. Where the wall of a building is on such common boundary, no separate wall, fence, or hedge is required along the portion of the common boundary occupied by the building to include RR.
- 10) By amending 5.05.020 All sites in an industrial district ("I" designation) having a common boundary with a residential district ("R", "RA", or "RC" designation) shall have planted and maintained along such common boundary a view-obscuring coniferous greenbelt of shrubs and trees at least eight (8) feet in height at maturity and at least ten (10) feet in width for screening purposes and controlling access to include RR.

- 11) By amending Section 5.11.040(3) Permitted signs in RC-1, RA-1, CVR, and P districts shall be as follows: to include BMRR, and RR-1.
- 12) By amending Section 5.11.040(4) Permitted signs in B-1, B-2, B-2HG, BR-2, B-3, BR-4, B-6, and B-7 districts shall be as follows (see additional requirements for B-2HG in Section 3.44): to include B-2A, BMV, and BSD.
- 13) By amending Section 6.13 B, BR, CVR, I, and P Parking Requirements Special Conditions to include BMV, BMRR, BSD, and RR.

The Flathead County Zoning Regulations are on file for public inspection at the Office of the Clerk and Recorder, 800 South Main, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed amendments, including the Flathead County Zoning Regulations showing the proposed amendments to the text, along with the current Flathead County Zoning Regulations, are available for public inspection at the Office of the County Clerk and Recorder and the Flathead County Planning and Zoning Office.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Flathead County Zoning Regulations from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 11th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/ Pamela J. Holmquist
Pamela J. Holmquist, Chairman

Publish on February 14 and February 21, 2016.